

COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION \_\_\_\_

CHURCH OF SCIENTOLOGY OF CALIFORNIA	)	No. _____
	)	
-and-	)	Superior Court
	)	No. C420153
MARY SUE HUBBARD	)	
	)	
Appellants	)	
	)	
vs.	)	
	)	
Gerald Armstrong,	)	
	)	
Appellee	)	

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APPLICATION TO APPEAR AS COUNSEL PRO HAC VICE

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TIMOTHY BOWLES

Bowles & Moxon  
6255 Sunset Boulevard  
Suite 2000  
Hollywood, CA 90028  
(213) 661-4030

Attorney for Appellants

COMES NOW appellants Church of Scientology of California and Mary Sue Hubbard requesting an order of this Court granting the application of Eric M. Lieberman of Rabinowitz, Boudin, Standard, Krinsky & Lieberman to associate as counsel of record for said appellants on this appeal.

Said application is based on the memorandum of points and authorities attached hereto and the declaration of Eric M. Lieberman.

DATED: December 19, 1988

Respectfully submitted,

BOWLES & MOXON

A handwritten signature in dark ink, appearing to be 'T. Bowles', written over a horizontal line.

By:

Timothy Bowles  
Attorney for Appellants

MEMORANDUM OF POINTS AND AUTHORITIES

I.

MR. LIEBERMAN IS ELIGIBLE TO APPEAR AS COUNSEL

PRO HAC VICE PURSUANT TO CALIFORNIA RULE OF COURT 983.

California Rule of Court 983 provides that a person seeking to appear as counsel pro hac vice in a court of appeal shall make an application pursuant to California Rule of Court 41. The application must state (1) the applicant's residence and office address; (2) the courts to which he has been admitted to practice and date of the admissions; (3) that he is a member in good standing of each such court; (4) that he is not currently suspended or disbarred in any court; (5) the title of each court and cause in which he has filed an application to appear as counsel pro hac vice in California in the preceding two years, the date of each application and whether or not it was granted; and (6) the name, address and telephone number of the member of the State Bar of California who is attorney of record.

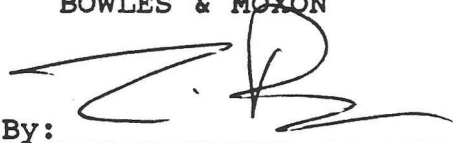
The declaration of Eric M. Lieberman attached hereto satisfies each of these requirements. Mr. Lieberman is a member in good standing in each court to which he is admitted and is not currently suspended or disbarred in any court. The attached declaration is a telecopied duplicate of the original. The original, executed today, is being sent to California counsel by an overnight courier and will be submitted to this Court upon receipt by California counsel.

Therefore, Mr. Lieberman's application should be granted and the Court should issue the order allowing him to appear pro hac vice in this matter.

DATED: December 19, 1988

Respectfully submitted,

BOWLES & MOXON

By:   
\_\_\_\_\_  
Timothy Bowles  
Attorney for Appellants

DECLARATION OF ERIC. M. LIEBERMAN

I, ERIC M. LIEBERMAN, declare:

1. I reside at 280 Riverside Drive, in the City of New York, State of New York. I am an attorney in the law firm of Rabinowitz, Boudin, Standard, Krinsky & Lieberman, P.C. My law office address is 740 Broadway, New York, New York 10003.

2. I am an attorney in good standing duly admitted to practice in the following courts: The United States District Court for the Southern District of New York, since 1974; the Supreme Court of the State of New York, First Division, since 1974; The Supreme Judicial Court of the State of Massachusetts, since 1971; The United States Courts of Appeals for, inter alia, the Second Circuit (since 1973) and the Ninth Circuit (since 1985); and the Supreme Court of the United States, since 1974. I currently am not and never have been under suspension nor been subject to any disciplinary actions.

3. In the preceding two years, I have filed an application to appear as counsel pro hac vice in the following case: Vicki J. Aznaran et al. v. Church of Scientology of California, et al., No. CV 88-1876 JMI (Ex) United States District Court, Central District of California). The application was submitted on June 17, 1988 and was granted on June 20, 1988.

4. If admitted in this action, I will appear in association with California attorney Timothy Bowles, Bowles & Moxon, whose address is 6255 Sunset Boulevard, Suite 2000, Hollywood, California 90028, and whose telephone number is (213) 661-4030.



5. Having been attorney of record in the appeal from the judgment in this case, Church of Scientology of California v. Gerald Armstrong, No. B 009771 (Court of Appeal, Second District; pro hac vice application granted August 9, 1985), I am familiar with this file and the issues before this Court. It would best serve the interests of the parties and this Court if I be allowed to enter this appearance.

Executed on December 19, 1988, at New York, New York. I declare under penalty of perjury under the laws of California and New York that the foregoing is true and correct.

  
ERIC M. LIEBERMAN

PROOF OF SERVICE

STATE OF CALIFORNIA     )  
                                  )   ss.  
COUNTY OF LOS ANGELES   )

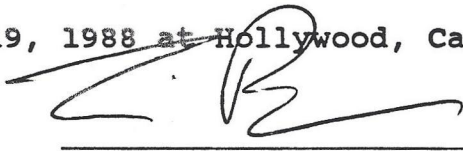
I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Blvd., Suite 2000, Hollywood, California 90028.

On December 19, 1988, I caused to be served the foregoing document described as APPLICATION OF ERIC M. LIEBERMAN TO APPEAR AS COUNSEL PRO HAC VICE AND SUPPORTING PAPERS on interested parties in this action by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at Hollywood, California, addressed as follows:

SEE ATTACHED LIST.

If hand service is indicated on the attached list, I caused this to be served by hand, otherwise I caused such envelopes with postage thereon fully prepaid to be placed in the United States mail at Hollywood, California.

Executed on December 19, 1988 at Hollywood, California.

  
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SERVICE LIST

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